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VIA ECF

Hon. George B. Daniels
United States District Judge
United States District Court for the Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: *Sokolow v. Palestine Liberation Organization et al.*, 04-CV-397 (GBD) (RLE)

Dear Judge Daniels,

I write in response to Plaintiffs' letter from earlier today, in which they seek the admission of (1) an audio recording of the Goldberg family, and (2) two photographs that they intend to use with plaintiff Alan Bauer. DE 775. For the reasons that follow, both requests should be denied.

Plaintiffs assert that there is "a contested issue of fact" concerning whether the members of the Goldberg family "were very close before the murder of Scott and that the murder therefore caused their injuries." DE 775 at 1. Plaintiffs further assert that "Defendants, in contrast, contend that the family's problems were somehow caused by other factors, such as their faith and the decision of Scott's widow to remain in the family home after his murder." *Id.* Defendants have no intention of making this an issue at trial at all — whether through cross-examination of the Plaintiffs' witnesses, or through any testimony or other evidence that the Defendants might offer.

As for the photographs that Plaintiffs wish to use with Mr. Bauer (PTE 1133 and 1150), Defendants maintain their prior objections.

Sincerely,


Mark J. Rochon

cc: All ECF Counsel